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July 22, 2024

Via CM/ECF

The Honorable Margaret M. Garnett
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, NY 10007

Re: *fuboTV Inc., et al. v. The Walt Disney Company, et al.*, No. 24-cv-1363

Dear Judge Garnett:

Pursuant to Rule I(D)(3)(ii)-(iii) of Your Honor's Individual Rules and Practices, Plaintiffs fuboTV Inc. and fuboTV Media Inc. ("Fubo") respectfully request leave to file under seal and in redacted form on the public docket Fubo's July 22 letter-motion to compel. Fubo also requests leave to file under seal entirely the appendices and exhibits attached to the letter-motion.

Fubo respectfully submits that good cause exists for filing the letter-motion, the appendices, and the exhibits to the letter-motion under seal. The exhibits are documents marked either Confidential or Highly Confidential pursuant to the protective order in this case; each contains commercially sensitive information. And the letter-motion and appendices incorporate that sensitive information through reference to the exhibits. Courts in this District routinely grant motions to seal documents that contain similar content. *See, e.g., Kewazinga Corp. v. Microsoft Corp.*, 2021 WL 1222122, at *3 (S.D.N.Y. Mar. 31, 2021) (sealing confidential research and development information, marketing plans, and customer data); *Louis Vuitton Malletier S.A. v. Sunny Merch. Corp.*, 97 F. Supp. 3d 485, 511 (S.D.N.Y. 2015) (sealing advertising expenditures, strategies, policies, and sales); *PDV Sweeny, Inc. v. ConocoPhillips Co.*, 2014 WL 4979316, at *3 (S.D.N.Y. Oct. 6, 2014) (sealing documents "on the basis of their containing sensitive commercial information affecting the parties' ongoing relationship").

Defendants have consented to Fubo's request to file the letter-motion under seal and in redacted form on the public docket and to file the appendices and exhibits under seal.

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The Honorable Margaret M. Garnett
July 22, 2024
Page 2

Respectfully submitted,

/s/ Thomas G. Schultz

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Cc: All Counsel of Record (via CM/ECF)